

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, Defendant, Comtech Design, Print & Mail, LLC (“Comtech”), hereby removes this action from the District Court of Oklahoma County, Oklahoma, where it was filed as Cause No. CJ-2017-6115, styled *Tiffanie McGalliard v. Comtech Design, Print & Mail, LLC, a domestic limited liability company*, in the Judicial District Court of Oklahoma County, Oklahoma to the United States District Court for the Western District of Oklahoma. As the grounds for removal, Comtech states as follows:

1. Plaintiff filed her Petition in this matter on October 24, 2017 in the district court of Oklahoma County, Oklahoma, which is located within the Western District of Oklahoma. Plaintiff's petition alleges she was subjected to sexual harassment and that she was terminated for making complaints about the alleged sexual harassment.

Although plaintiff's Petition does not expressly identify the statutory provisions that she claims were violated, the Petition does reference Plaintiff's EEOC filing which alleges violations of Title VII of the Civil Rights Act of 1964. Additionally, Plaintiff's Petition refers to the statutory timeline for filing a claim under Title VII and refers to the statutory cap on damages applicable to claims under Title VII.

2. Comtech was served with the Summons and Petition on November 7, 2017.

3. A copy of the state court docket sheet is attached hereto as Exhibit "1." A copy of Plaintiff's Petition is attached hereto as Exhibit "2." A copy of the Entry of Appearance is attached hereto as Exhibit "3." A copy of the return of service of the Summons is attached hereto as Exhibit "4." Exhibits 2-4 constitute all of the documents filed in the state court matter.

4. This is a civil action over which this Court has subject matter jurisdiction under the provisions of 28 U.S.C. § 1331. Plaintiff asserts claims for alleged violations of Title VII of the Civil Rights Act of 1964, 42 U.S. C. §2000e *et seq.* and 42 U.S.C. §1981 as her only causes of action. See Plaintiff's Petition, Exhibit "2," paragraphs 1-2. These claims arise under the laws of the United States and involve a federal question. Therefore, this Court has jurisdiction under 28 U.S.C. § 1331, and this action may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441.

5. This Notice of Removal is timely because it is filed within thirty (30) days from the date Comtech received a copy of the Petition. See 28 U.S.C. § 1446(b).

6. The Plaintiff is represented by D. Colby Addison, of the Laird Hammons Laird, PLLC Law Firm, with offices located at 1332 SW 89<sup>th</sup> Street, Oklahoma City, Oklahoma, 73159.

7. As required by 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal is being filed this day with the Clerk of the District Court of Oklahoma County, Oklahoma.

WHEREFORE, Comtech Design, Print & Mail, LLC requests that this Court assume jurisdiction over this controversy and that this matter proceed in the United States District Court for the Western District of Oklahoma from this day forward.

Respectfully submitted,

*s/ Nathan L. Whatley* \_\_\_\_\_

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of November, 2017, that a true, exact and correct copy of the foregoing document, was mailed by U.S. mail, to the following:

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**ATTORNEYS FOR PLAINTIFF**

*s/Nathan L. Whatley*  
Nathan L. Whatley